



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

## Law and Justice Interim Committee

66th Montana Legislature

### SENATE MEMBERS

BRYCE BENNETT  
JOHN ESP  
STEVE FITZPATRICK  
JEN GROSS  
KEITH REGIER  
DIANE SANDS

### HOUSE MEMBERS

ROBERT FARRIS-OLSEN  
FRANK FLEMING  
KATHY KELKER  
CASEY KNUDSEN  
JASMINE KROTKOV  
BARRY USHER

### COMMITTEE STAFF

RACHEL WEISS, Lead Staff  
JULIANNE BURKHARDT, Staff Attorney  
VERONICA SULLIVAN, Secretary

June 2, 2020

Director Reginald Michael  
Montana Department of Corrections  
PO Box 201301  
Helena, MT 59620-1301

Dear Director Michael,

In fulfilling its statutory duty to provide interim oversight for Executive Branch agencies, the Law and Justice Interim Committee (LJIC) has worked with you and your staff closely this interim to ensure LJIC members are informed about Department of Corrections (DOC) operations. We appreciate the time you and your staff have already spent to provide updates, including the first monthly report on sentinel testing for COVID-19 in DOC facilities.

This letter includes a followup question from our May 12 meeting and several questions generated by committee discussion and public comment at a May 29 meeting. Given the time-sensitive nature of the COVID-19 pandemic and our limited remaining meeting time this interim, we request that you provide written answers by 5 p.m. on June 11. If there are questions that cannot be answered by that date, please provide the information by 5 p.m. on July 10 for our July 13 meeting.

1. Is video visitation being allowed at the Crossroads prison in Shelby?
2. Is parole school continuing in all secure facilities?
3. How many inmates are on a wait list for each treatment program offered at secure facilities?
4. Are inmates and staff in the facilities required to sign a waiver prior to testing for COVID-19? If so, what are the DOC's reasons for the waiver and can the committee receive a copy of it?
5. Do the numbers made public in DOC reports and the DOC website include tests given to individual staff by the staff member's own physician?
6. Is there a written plan on how the DOC would handle a COVID-19 outbreak in a facility? If so, can the committee have a copy of it? Is the DOC response plan specific to the DOC or will the DOC follow a plan created by another agency, such as the Department of Public Health and Human Services? Please provide

facility-specific procedures the DOC will use in the event of a positive test, including details on the use of trailers to quarantine inmates.

7. Is the DOC able to acquire sufficient sanitizing and cleaning supplies for inmates and staff to meet federal health guidelines in all DOC facilities?
8. What is the timeline for the DOC to continue its sentinel testing of inmates in each facility?

For the purposes of these questions, unless otherwise specified, we would like you to include answers for both facilities operated by DOC and those under contract.

We appreciate your time and attention to these questions and look forward to speaking with you again in person at our July 13 meeting. Please reach out to either of us or our staff with any questions or concerns.

Sincerely,



Representative Barry Usher  
LJIC Presiding Officer  
Barry.usher@mtleg.gov



Senator Jen Gross  
LJIC Vice Presiding Officer  
Jen.gross@mtleg.gov